

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Re the application of: Mark L. Nelson, *et al.*

U.S. Serial No.: 09/823,884

Filed: March 30, 2001

For: 7- and 9-Carbamate, Urea, Thiourea,
Thiocarbamate, and Heteroaryl-Amino
Substituted Tetracycline Compounds

Attorney Docket No.: GAZ-025CP

Group Art Unit: 1626

Examiner: Robert Gerstl

TECH CENTER 1600/2900

DEC 23 2002

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Yes
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Commissioner for Patents
Washington, D.C. 20231

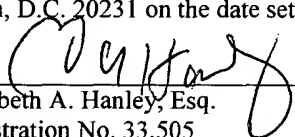
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December 13, 2002

Date of Signature and of Mail Deposit

By:


Elizabeth A. Hanley, Esq.
Registration No. 33,505
Attorney for Applicants

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

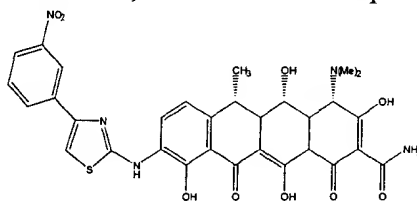
Dear Sir:

This is responsive to the Restriction Requirement mailed from the U.S. Patent and Trademark Office on June 13, 2002 for the above-referenced application. A request for the appropriate extension of time in which to respond is being filed concurrently herewith. Please amend the application as follows:

In the claims:

Please cancel claims 100-102. Please add new claim 103, as follows:

103. [New] The compound of claim 55, wherein said compound is:





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Substituted Tetracycline Compounds

Case Docket No. GAZ-025

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COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith for filing in connection with the above-identified application are the following:

- ☒ Amendment and Response to Restriction Requirement (3 pages);
- ☒ Request for Five-Month Extension of Time (1 page, in duplicate); and
- ☒ Acknowledgement postcard.

The fee has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	* 106	MINUS	** 108	= 0
INDEP.	* 5	MINUS	*** 6	= 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDIT. FEE
x 9 =	\$0.00
x 42 =	\$0.00
+140 =	\$0.00
TOTAL ADDIT. FEE	\$0.00

OR

OTHER THAN A SMALL ENTITY	
RATE	ADDIT. FEE
x 18 =	\$0.00
x 84 =	\$0.00
+ 280 =	\$0.00
TOTAL	\$0.00

- * If the entry in Col 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed. Applicants request any extensions of time necessary to respond.

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

December 13, 2002

Date

Signature of Person Mailing

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